



DEPARTMENT OF NATURAL RESOURCES

December 18, 2005

Hand Delivered

Mr. Gary Rainwater
AmerenUE
1 Ameren Plaza
1901 Shouteau Avenue
P.O. Box 66149, MC 602
St. Louis, MO 63116-6149

RE: Emergency Declaration: Taum Sauk Upper Reservoir Failure at Johnson Shut-Ins State Park.

EER Incident Number 051214-0620-LSR, Reynolds County

Dear Mr. Rainwater:

The Missouri Department of Natural Resources (department) is issuing this Emergency Declaration to AmerenUE based upon the department's emergency response and on-site investigation of the impact to Johnson Shut-Ins State Park and the East Fork of the Black River. The environmental issues related to this incident threaten waters of the state. Also, under authority of the Missouri Clean Water Law, Chapter 644, RSMo, the department is granted the authority and responsibility to ensure that reasonable actions are taken to eliminate the danger to public safety, health and the environment.

At 0620 hours on December 14, 2005, Richard Cooper, AmerenUE representative, notified the department's Environmental Emergency Response Section (EER) of the Taum Sauk Upper Reservoir failure. Mr. Cooper explained the water in the reservoir had discharged from the reservoir due to a catastrophic failure and caused significant flooding downstream and local emergency response officials were on scene conducting search and rescue operations in the Johnson Shut-Ins State Park area. Department representatives from the Division of State Parks and EER immediately responded to the area and assisted with the emergency activities, as did numerous state and local emergency responders.

The department will continue to have an on-scene presence and conduct assessment activities in the Johnson Shut-Ins State Park area and the East Fork of the Black River. The department has determined this incident is a public health concern and actions need to be taken to mitigate the impact to the environment. A project office at the park entrance and a security perimeter has been established. All personnel (DNR, AmerenUE, or visitors) must sign in/out at this location.



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Per our discussions with AmerenUE, the department is ordering AmerenUE to take the following Phase I actions to stabilize the area in order to minimize further impact to the environment. This information must be submitted to the department by 1500 hours, December 19, 2005.

1. Confirm to the department that Mr. Michael Menne, Vice President, Environmental Safety and Health is AmerenUE's representative as a project manager to serve as an on-site point of contact to the department.
2. Conduct a preliminary site assessment and identify all areas of immediate hazards to address safety for on-site workers.
3. Develop and provide a site safety plan for the incident. AmerenUE must hold daily safety meetings in the morning before any site work is initiated. All workers shall adhere to the plan and sign it each day to acknowledge that they understand the plan.
4. Phase I Site Assessment Plan to include the following items:
 - Plan of action to restore and clean up the impacted cemetery. The cleanup must be completed by December 24, 2005.
 - GIS data that indicates all impacted areas and plotted on a map to show all flood areas.
 - Identify sedimentation concerns that might potentially threaten the East Fork of the Black River, the Taum Sauk Lower Reservoir, and waters of the state below Taum Sauk Lower Reservoir.
 - Plan of action to remove all debris and sedimentation from the streambed, stream banks and flooded areas of the affected properties. Sediment basins must be installed to control any further migration of the sediment including a basin in the area where the released water from the Upper Reservoir entered the East Fork of the Black River.
 - Plan of action to re-establish the original river channel that existed prior to the incident and ensure all river and Taum Sauk Lower Reservoir banks are stabilized to prevent additional erosion. All riparian zones must be restored to their natural state. Any deviations must have DNR concurrence.

It is the department's understanding that AmerenUE has engaged MacTec to conduct the Phase I site assessment of the area. It is the department's understanding MacTec has been, and continues to develop this assessment. Please continue to address any immediate safety or environmental concerns and communicate these actions to the department's On-Scene Coordinator (OSC).

A meeting to address the items identified in this Emergency Declaration is scheduled at the site for Tuesday, December 20, 2005. AmerenUE will be required to present this information and planned actions. Based on information obtained in that meeting, the department may identify additional Phase I actions to mitigate any further impact to the environment.

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The State of Missouri holds AmerenUE responsible for this incident and any subsequent damage and cleanup. As you are aware, the cleanup and restoration will be conducted in several phases, many of which will need discussion and planning. Please be aware that as this incident progresses, additional phases of the environment and park restoration will be dictated for implementation in future discussions and correspondence. The department will demand that the Johnson Shut-Ins State Park be restored to conditions as designed and approved by the department. The department will require AmerenUE to pay all expenses, including the department's oversight and assistance during this incident.

The department and Governor Blunt appreciate your cooperation with this matter. As you know, Governor Blunt toured the disaster site the day of the incident and he is personally involved and has instructed the department to utilize all enforcement necessary to quickly and effectively restore this state treasure. If you have any questions or concerns associated with this letter, please contact Mr. Jackson Bostic, EER OSC, at 573-840-9485 or Alan Reinkemeyer, EER Section Chief, at 573-526-3384. Thank you.

Sincerely,

Missouri Department of Natural Resources

Original signed by Doyle Childers

Doyle Childers
Director

DC:ll

c: Kurt Schaefer, MDNR Director's Office
Doug Eiken, MDNR Division of State Parks
Jeff Staake, MDNR Director's Office
Gary Gaines, SERO

Received on-site by:

AmerenUE

Name/Title

Date